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RCE
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#13
PTO/BB 80 08-031
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10/23/03

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/831,327
Filing Date	May 7, 2001
First Named Inventor	Hachirou Kushida
Art Unit	1775
Examiner Name	Archene A. Turner
Attorney Docket Number	1217-010737

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If application does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Other Letter to Examiner Archene A. Turner

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-0650
- i. ☒ RCE fee required under 37 CFR 1.17(e) 10/15/2003 AWONDAF1 00000034 09831327
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 DP
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 1,610.00 to cover the RCE and Extension of Time fees is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Kent E. Baldauf	Registration No. (Attorney / Agent)	25,826
Signature	<i>Kent E. Baldauf</i>	Date	October 8, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Ruth A. Walkup	Date	October 8, 2003
Signature	<i>Ruth A. Walkup</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application No. 09/831,327
Letter to Examiner dated October 8, 2003
Reply to Advisory Action of August 26, 2003
Attorney Docket No. 1217-010737

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/831,327
Applicants : Hachirou Kushida et al.
Filed : May 7, 2001
Title : Decorative Item and Process for Producing the Same
Group Art Unit : 1775
Examiner : Archene A. Turner

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER

Madam:

The accompanying Request for Continued Examination (RCE) is being filed in response to the Final Office Action, dated April 9, 2003, and the Advisory Action, dated August 26, 2003. Applicants appreciate the Examiner's professional courtesy in the telephone interview of October 6, 2003. During the telephone interview, Applicants' representative, Mr. Gary F. Matz, indicated that comparative data would be assembled in the form of a Declaration Under

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 8, 2003.

Ruth A. Walkup
(Typed Name of Person Mailing Paper)

Ruth A. Walkup
Signature

10/08/2003
Date

Application No. 09/831,327
Letter to Examiner dated October 8, 2003
Reply to Advisory Action of August 26, 2003
Attorney Docket No. 1217-010737

37 C.F.R. § 1.132. The Examiner agreed to wait a reasonable period of time for the Declaration to be submitted before acting on the RCE.

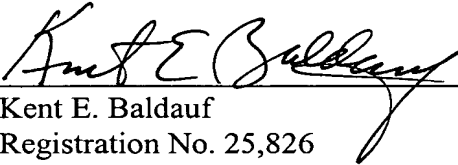
Applicants are presently generating comparative data and will submit such in a Declaration as described above as soon as practical. Applicants appreciate the Examiner's cooperation.

The Examiner is requested to contact the undersigned attorney if she determines that examination needs to proceed prior to receipt of the above-described data.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON
ORKIN & HANSON, P.C.

By



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